

IN THE SENATE

SENATE BILL NO. 1171

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE;  
APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE  
DIVISIONS OF CHILD WELFARE, SERVICES FOR THE DEVELOPMENTALLY DISABLED,  
AND SERVICE INTEGRATION FOR FISCAL YEAR 2024; LIMITING THE NUMBER OF  
AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING FOR GENERAL FUND  
TRANSFERS TO THE COOPERATIVE WELFARE FUND; DIRECTING EXPENDITURES FOR  
TRUSTEE AND BENEFIT PAYMENTS; PROVIDING REQUIREMENTS FOR PROGRAM IN-  
TEGRITY; CLARIFYING THE RESPONSIBILITY FOR THE EDUCATION OF CERTAIN  
CHILDREN IN STATE CARE; DIRECTING THE USE OF CHILD ABUSE PROTECTION  
TREATMENT ACT FUNDS; DIRECTING EXPENDITURES FOR THE DIVISION OF CHILD  
WELFARE; DIRECTING EXPENDITURES FOR THE DIVISION OF SERVICES FOR THE  
DEVELOPMENTALLY DISABLED; DIRECTING EXPENDITURES FOR THE DIVISION OF  
SERVICE INTEGRATION; PROVIDING FOR ACCOUNTABILITY REPORTS; APPROPRI-  
ATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE  
DIVISION OF CHILD WELFARE FOR FISCAL YEAR 2023; AND DECLARING AN EMER-  
GENCY AND PROVIDING AN EFFECTIVE DATE.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. There is hereby appropriated to the Department of Health and  
Welfare the following amounts to be expended according to the designated  
programs and expense classes from the listed funds for the period July 1,  
2023, through June 30, 2024:

	FOR	FOR	FOR	
	PERSONNEL	OPERATING	TRUSTEE AND	
	COSTS	EXPENDITURES	BENEFIT	TOTAL
			PAYMENTS	
I. CHILD WELFARE:				
A. CHILD WELFARE:				
FROM:				
Cooperative Welfare (General)				
Fund	\$13,808,300	\$2,384,500		\$16,192,800
Cooperative Welfare (Dedicated)				
Fund	73,500	20,000		93,500
Cooperative Welfare (Federal)				
Fund	<u>27,110,400</u>	<u>5,819,700</u>		<u>32,930,100</u>
TOTAL	\$40,992,200	\$8,224,200		\$49,216,400

	FOR	FOR	FOR	
	PERSONNEL	OPERATING	TRUSTEE AND	
	COSTS	EXPENDITURES	BENEFIT	TOTAL
			PAYMENTS	
5	B. FOSTER & ASSISTANCE PAYMENTS:			
6	FROM:			
7	Cooperative Welfare (General)			
8	Fund		\$28,261,200	\$28,261,200
9	Cooperative Welfare (Dedicated)			
10	Fund		150,000	150,000
11	Cooperative Welfare (Federal)			
12	Fund		<u>29,020,400</u>	<u>29,020,400</u>
13	TOTAL		\$57,431,600	\$57,431,600
14	DIVISION TOTAL	\$40,992,200	\$8,224,200	\$57,431,600
				\$106,648,000
15	II. SERVICES FOR THE DEVELOPMENTALLY DISABLED:			
16	A. COMMUNITY DEVELOPMENTAL DISABILITY SERVICES:			
17	FROM:			
18	Cooperative Welfare (General)			
19	Fund	\$9,089,400	\$893,600	\$2,426,600
20	Cooperative Welfare (Dedicated)			
21	Fund	124,300	46,300	783,100
22	Cooperative Welfare (Federal)			
23	Fund	<u>7,222,200</u>	<u>1,054,800</u>	<u>2,922,300</u>
24	TOTAL	\$16,435,900	\$1,994,700	\$6,132,000
				\$24,562,600
25	B. SOUTHWEST IDAHO TREATMENT CENTER:			
26	FROM:			
27	Cooperative Welfare (General)			
28	Fund	\$4,285,500	\$724,500	\$79,200
29	Cooperative Welfare (Dedicated)			
30	Fund	328,500	137,800	10,600
31	Cooperative Welfare (Federal)			
32	Fund	<u>6,244,300</u>	<u>1,601,400</u>	<u>141,300</u>
33	TOTAL	\$10,858,300	\$2,463,700	\$231,100
				\$13,553,100

	FOR	FOR	FOR		
	PERSONNEL	OPERATING	TRUSTEE AND		
	COSTS	EXPENDITURES	BENEFIT	TOTAL	
			PAYMENTS		
5	C. EXTENDED EMPLOYMENT SERVICES:				
6	FROM:				
7	Cooperative Welfare (General)				
8	Fund	\$229,200	\$91,600	\$3,202,900	\$3,523,700
9	DIVISION TOTAL	\$27,523,400	\$4,550,000	\$9,566,000	\$41,639,400
10	III. SERVICE INTEGRATION:				
11	FROM:				
12	Cooperative Welfare (General)				
13	Fund	\$281,800	\$41,300	\$450,000	\$773,100
14	Cooperative Welfare (Dedicated)				
15	Fund		19,500	50,000	69,500
16	Cooperative Welfare (Federal)				
17	Fund	<u>2,544,800</u>	<u>267,700</u>	<u>2,900,000</u>	<u>5,712,500</u>
18	TOTAL	\$2,826,600	\$328,500	\$3,400,000	\$6,555,100
19	GRAND TOTAL	\$71,342,200	\$13,102,700	\$70,397,600	\$154,842,500

20 SECTION 2. FTP AUTHORIZATION. In accordance with Section 67-3519,  
 21 Idaho Code, each of the programs in the Department of Health and Welfare  
 22 listed below is authorized no more than the following number of full-time  
 23 equivalent positions at any point during the period July 1, 2023, through  
 24 June 30, 2024, unless specifically authorized by the Governor. The Joint  
 25 Finance-Appropriations Committee will be notified promptly of any increased  
 26 positions so authorized.

27	Child Welfare .....	434.80
28	Community Developmental Disability Services .....	181.96
29	Southwest Idaho Treatment Center .....	121.75
30	Extended Employment Services .....	3.00
31	Service Integration .....	35.00

32 SECTION 3. GENERAL FUND TRANSFERS. As appropriated, the Office of the  
 33 State Controller shall periodically make transfers from the General Fund to  
 34 the Cooperative Welfare Fund as requested by the director of the Department  
 35 of Health and Welfare and approved by the Board of Examiners.

36 SECTION 4. TRUSTEE AND BENEFIT PAYMENTS. Notwithstanding the provi-  
 37 sions of Section 67-3511, Idaho Code, funds appropriated in the trustee and

1 benefit payments expense class shall not be transferred to any other expense  
2 classes during fiscal year 2024.

3 SECTION 5. PROGRAM INTEGRITY. Notwithstanding any other provision of  
4 law to the contrary, the Department of Health and Welfare shall be required  
5 to provide those services authorized or mandated by law in each program, only  
6 to the extent of funding and available resources appropriated for each bud-  
7 geted program.

8 SECTION 6. EDUCATIONAL NEEDS. The Department of Health and Welfare  
9 shall be responsible for the educational needs of school-age children placed  
10 in its custody by the courts for either child protective issues or mental  
11 health issues. If the department places a child in a licensed residential  
12 treatment facility that includes a nonpublic accredited school and it is de-  
13 termined by the department that it is in the best interests of the child to be  
14 educated at the residential treatment facility, then it is the responsibil-  
15 ity of the department to pay for such education per student, per educational  
16 day. Other Idaho state agencies shall not be precluded from exercising their  
17 responsibility to ensure a free and appropriate education for these students  
18 within the requirements of federal disability law. The fiscal impact of this  
19 section is included within existing department base appropriations.

20 SECTION 7. CHILD ABUSE PROTECTION TREATMENT ACT FUNDS. Of the amount  
21 appropriated in Section 1 of this act from the Cooperative Welfare (Federal)  
22 Fund, a minimum of \$42,000 of federal Child Abuse Protection Treatment Act  
23 (CAPTA) funds appropriated to the Department of Health and Welfare shall  
24 be provided to the public health districts each year. Funds for each pub-  
25 lic health district shall be distributed at one-seventh (1/7) of the total  
26 amount, which shall be used for the citizen review panels pursuant to Section  
27 16-1647, Idaho Code.

28 SECTION 8. TRANSFER OF APPROPRIATIONS. Notwithstanding the provisions  
29 of Section 67-3511, Idaho Code, funding provided for the personnel costs ex-  
30 pense class in the Division of Child Welfare shall not be transferred to any  
31 other expense class within the Department of Health and Welfare during fis-  
32 cal year 2024.

33 SECTION 9. TRANSFER OF APPROPRIATIONS. Notwithstanding the provisions  
34 of Section 67-3511, Idaho Code, funding provided for the personnel costs  
35 expense class in the Division of Services for the Developmentally Disabled  
36 shall not be transferred to any other expense class within the Department of  
37 Health and Welfare during fiscal year 2024.

38 SECTION 10. TRANSFER OF APPROPRIATIONS. Notwithstanding the provi-  
39 sions of Section 67-3511, Idaho Code, funding provided for the personnel  
40 costs expense class in the Division of Service Integration shall not be  
41 transferred to any other expense class within the Department of Health and  
42 Welfare during fiscal year 2024.

1           SECTION 11. ACCOUNTABILITY REPORTS. Funds specifically identified in  
 2 statute or in an appropriation act as intended for a certain purpose may be  
 3 used only for that purpose. All funds provided in this act shall be subject  
 4 to accountability reports and management reviews in accordance with Section  
 5 67-702, Idaho Code.

6           SECTION 12. In addition to the appropriation made in Section 1, Chap-  
 7 ter 211, Laws of 2022, and any other appropriation provided by law, there  
 8 is hereby appropriated to the Department of Health and Welfare for the Fos-  
 9 ter and Assistance Payments Program the following amounts to be expended for  
 10 trustee and benefit payments from the listed funds for the period July 1,  
 11 2022, through June 30, 2023, for the purpose of congregate care costs:

12	FROM:	
13	Cooperative Welfare (General)	
14	Fund	\$1,002,600
15	Cooperative Welfare (Federal)	
16	Fund	<u>1,048,100</u>
17	TOTAL	\$2,050,700

18           SECTION 13. An emergency existing therefor, which emergency is hereby  
 19 declared to exist, Section 12 of this act shall be in full force and effect on  
 20 and after passage and approval, and Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and  
 21 11 of this act shall be in full force and effect on and after July 1, 2023.